



NEW JERSEY PINELANDS COMMISSION

MONTHLY MANAGEMENT REPORT



Reflections at Whitesbog Village, as photographed in February

FEBRUARY 2025

1 EXECUTIVE OFFICE

1.1 EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee did not meet in February.
- **Policy & Implementation (P&I) Committee:** During its meeting on February 28, 2025, the Committee heard staff presentations on the Fourth Round Affordable Housing Amendments and on Threatened or Endangered species survey protocols. Staff reviewed housing obligations from prior rounds and the impact of new obligations and deadlines on Pinelands municipalities and issues that might come before the Committee. Staff also presented an overview of the application review process and protocols for requiring and accepting Threatened or Endangered (T&E) plant and animal species surveys. The Committee discussed various options for qualifying consultants or for changing the application review process. No recommendation for changing the survey protocols or administrative process resulted from the discussion.

1.1B RULEMAKING

- **Electric Transmission Right-of-Way (ROW) Vegetation Management:** A meeting with electric utility representatives was held on February 26. Staff reviewed draft rules repealing the ROW pilot program and making permanent the vegetation management prescriptions in the ROW Plan (N.J.A.C. 7:50-6.28(b)). The draft Pinelands Comprehensive Management Plan (CMP) amendment will also set new prescriptions for rights-of-way that are not in the ROW Plan. Utility representatives had the opportunity to offer comments and to ask questions about the draft rule.
- **Rule Package #1 (Black Run Watershed, Application Fees, Expiration of Completeness Documents and old Waivers; RGA Density and PDC Program):** The draft rule proposal was completed and submitted to the Governor's office on February 27, 2025 for review and approval.

1.1C OPEN PUBLIC RECORDS ACT

- A total of 8 Open Public Records Act (OPRA) requests were received in February. Seven were provided responsive material and one was advised that there was no responsive material.

1.1D PINELANDS MUNICIPAL COUNCIL

- The Pinelands Municipal Council did not meet in February.

1.2 LEGAL AND LEGISLATIVE AFFAIRS

1.2A LITIGATION

- **In Re Challenge of Clayton Sand Company to December 4, 2023 Amendments to N.J.A.C. 7:50-1.1 et seq., A-001476-23** – Clayton Sand Company filed a Notice of Appeal of the amendments to the Water Management Rules at N.J.A.C. 7:50-6.86(d)2 of the Pinelands CMP (i.e. the Kirkwood-Cohansey rules). The appeal challenges the rule adoption as procedurally and substantively defective. Briefing of this appeal concluded on February 14, 2025 with the filing of Clayton’s reply to the Pinelands Preservation Alliance’s brief. The Appellate Division will now decide if oral argument is necessary or may decide the matter solely on the briefs.
- **Hovsons, Inc. et.al. v. Babbit, et. al., Civil Action No. 00-3943 (MLC/TJB)** – In 2024, Hovsons, Inc. filed a motion with the Federal Court seeking to enforce the terms of the 2004 settlement agreement between Hovsons, the New Jersey Department of Environmental Protection (NJDEP), the Pinelands Preservation Alliance (PPA) and the Commission related to development of the Heritage Minerals tract in Manchester Township. Mediation sessions occurred on September 5, 2024, September 10, 2024 and December 12, 2024.
- **Estlow Estates, LLC v. The Township of Woodland, the State of New Jersey, the Pinelands Commission, John Does 1-10 and ABC Corporation 1-10, Chancery Division, Docket Number BUR-000099-24** – This matter involves a proposed 13-lot subdivision and development of 12 single family dwellings in Woodland Township. The plaintiff obtained a Certificate of Filing in April 2007, Preliminary and Major Subdivision approval from the Woodland Township Land Use Board in August 2007, and a conditional preliminary subdivision approval from the Burlington County Planning Board in February 2008. No residential development occurred. Sightings of a new threatened or endangered (T&E) species, for which the plaintiff did not survey in 2005, were reported in 2018 in the vicinity of plaintiff’s parcel. Final subdivision approval was issued by the Burlington County Planning Board in March 2022. That approval was called up for review by the Commission on May 10, 2022 and the applicant was notified that a new T&E survey would be necessary to demonstrate that the proposed development remains consistent with CMP standards. No such survey has been submitted to the Commission and, at the applicant’s request, no public hearing has been held. On December 13, 2024, the Commission was served with a summons and complaint that asks the Court to order the Commission to approve the project and recertify that the 2007 Certificate of Filing is valid, without the need for additional T&E species survey work. The Attorney General’s office is preparing to file a motion on behalf of the Commission.
- **Southampton Twp., N.J., Letter of Interpretation #2256, Block 1903, Lots 40 & 40.01 - OAL Docket No. EPC-17684-2024S** - This is an appeal of a Letter of Interpretation (LOI) regarding a wetlands boundary determination for Block 1903, Lots 40 and 40.01 in Southampton Township. On April 15, 2024, the plaintiff submitted an application for a LOI seeking a determination of the extent of wetlands on the parcel. As part of that application, the plaintiff submitted a plan entitled “Overall Wetlands Delineation Plan,” dated April 12, 2024. The Commission staff conducted site inspections, and reviewed available natural resource capability maps, United States Department of Agriculture, Soil Survey information, and the

applicant's April 2024 wetlands plan. On November 14, 2024, the staff issued LOI #2256, determining that the boundaries of the wetlands delineated on the plaintiff's plan were not accurate. Notice of appeal was received on November 27, 2024 and forwarded to the Office of Administrative Law.

- **Artistic Materials, Inc. and Michael J. Finnegan, Southampton Township (App. No. 1997-0010.002)**: This litigation involves a parcel in the Pinelands Agricultural Production Area that is subject to a PDC deed restriction. On January 2, 2025, the Attorney General's office filed a complaint in Superior Court on behalf of the Commission and the NJDEP. The two agencies are jointly seeking: (1) declaratory judgement finding that the current industrial and commercial use of the property and wetlands disturbances violate the Pinelands Development Credit (PDC) deed restriction and the CMP; (2) an order enforcing the PDC deed restriction and the CMP, specifically requiring the defendants to immediately cease non-agricultural industrial and commercial activity on the parcel and to restore the property in accordance with the PDC deed restriction and the CMP; (3) an order compelling the defendants to restore wetlands on the parcel in compliance with the Freshwater Wetlands Protection Act and pay civil penalties; and (4) an order compelling the defendants to remove the stockpiled solid waste and properly dispose of it in accordance with the Solid Waste Management Act and pay civil penalties. The defendants filed their answer on February 12, 2025.
- **Letter of Interpretation for Solar Energy Facility Accessory to a Resource Extraction Operation, Upper Township (Mojave Materials, App. No. 1983-9222.005)**: On May 22, 2024, the Commission received an application for an LOI to determine permitted accessory uses on a 14.6-acre lot. The lot in question is located in a Pinelands Forest Area, where resource extraction operations are limited to parcels or areas that were approved for resource extraction prior to 1995 in accordance with the CMP. The lot is located adjacent to such a resource extraction operation. The applicant requested that the LOI be "tabled" on September 25, 2024 and subsequently submitted additional information for the Commission's review. Commission staff reviewed the over 40-year history of the existing resource extraction operation to determine what lands were included in the prior resource extraction approvals. On November 27, 2024, Commission staff sent a letter advising the applicant that the 14-acre lot did not qualify for resource extraction or accessory uses to resource extraction, such as the proposed solar energy facility. The Commission staff suggested that the applicant may wish to discuss a rezoning of the lot with the Township. On January 10, 2025, the Commission received notice that the applicant had appealed the conclusion reached in the Commission staff's November 27, 2024 letter to the New Jersey Superior Court Appellate Division. The Commission's Deputy Attorney General met with the applicant's attorney on January 31, 2025 to discuss the appeal and the potential for its withdrawal, given the November 27, 2024 letter is not a final agency decision and thus the Appellate Division does not have jurisdiction over the matter. A settlement conference was conducted by the Appellate Division's Civil Appeals Settlement Program on February 18, 2025. At that conference, the Commission's DAG advised the Judge of the Commission's position that the matter should be withdrawn by the appellant or dismissed by the Court because of the appellant's failure to exhaust administrative remedies, the settlement judge proffered a potential mechanism to resolve the matter. On February 21, 2025, a letter was submitted to the settlement judge advising her that the Commission is opposed to settling the matter and reiterated the Commission's position that the Appellate Division lacked

jurisdiction. A Motion to Dismiss was filed on behalf of the Pinelands Commission on February 26, 2025.

1.2B LEGISLATION

A summary of legislation specific to the Pinelands Area or Commission is provided below. A summary of other pending legislation potentially related to the Pinelands is attached at the end of the document (Attachment 1).

Pinelands Specific Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A4162/S2424	Calabrese, Hall Smith, McKeon	Establishes various programs in the New Jersey Department of Environmental Protection (NJDEP) concerning management of publicly owned forested land; appropriates \$60 million.	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 4/8/24. Senate Bill - Reintroduced, Referred to Senate Environment and Energy Committee on 1/29/24.

1.2C INTERGOVERNMENTAL AGREEMENTS

- Pemberton Township:** This Memorandum of Agreement (MOA) between the Township and the Commission authorizes a deviation from CMP wetlands and wetlands buffer standards to accommodate surfacing of an existing trail at Pemberton Lake for accessibility purposes. The Commission approved execution of this MOA at its January 12, 2024 meeting. The MOA specifies that the Township must complete and submit its revegetation plans, rain garden plan, wetlands general permit and right of entry approval from NJDEP before the trail improvement project may commence. The Commission issued a Freshwater Wetlands General Permit 17 for the project on May 31, 2024. On November 6, 2024, the Commission’s Executive Director issued a letter to Pemberton Township finding that the submitted revegetation and rain garden plans were substantially consistent with the requirements of the MOA and permitting the development to proceed, provided any other necessary approvals and permits are obtained. Commission staff reviewed and provided comments to NJDEP on a revised right of entry agreement in mid-December 2024.
- Evesham Township:** The Township is proposing an MOA that would accommodate surfacing of an existing trail and parking improvements within wetlands and wetlands buffers in the Black Run Preserve. The MOA also proposes to address a number of outstanding violations in the Preserve, where development was undertaken without application to, or approval by, the Commission. Staff conducted a site inspection with representatives of Evesham Township on May 14, 2024. On June 19, 2024, Evesham provided additional maps and asked for guidance concerning the threatened and endangered (T&E) species work that needs to be conducted on

the site. Staff provided the Township such guidance and met with municipal representatives on August 27, 2024. A conference call between staff and representatives of Evesham occurred in early September to discuss the portions of the Black Run Preserve that were subject to a 2008 Deed Restriction. Evesham Township subsequently provided a list of Blocks and Lots that comprise the Preserve and the full acreage of same. Staff met with Township representatives in mid-January 2025 to discuss the status of grant funding associated with the trail project.

1.3 HUMAN RESOURCES

- **Recruitment:** A candidate was selected to fill the Environmental Specialist vacancy in the Regulatory Programs Office. The position has been vacant since May 2024. The new employee's start date will be March 24, 2025.
- **Training:** The Winter ATC Meeting for Agency Training Coordinators was held on February 4, 2025. Staff also attended the following training sessions: GoToWebinar- Social Security Benefits for Members of PERS, TPAF, PFRS, SPRS, JRS, ABP, and DCRP; GoToWebinar- Reporting Retroactive Salaries for Local Education or Local Government Employers; NJ EAS Employee Webinar: How to Deal with Anxiety in the Midst of Stressful Circumstances.
- **Health Benefits:** Employee changes to their health benefit plans from the Special Open Enrollment have been received and will take effect on March 1, 2025

2 INTERAGENCY COORDINATION

- **Interagency Council on Climate Resilience (IAC):** Staff participated in the monthly IAC meeting, receiving updates on various reports in progress. Commission staff provided 45 high-resolution photos to the DEP Office of Climate Resilience Planning for potential use in the forthcoming IAC publications.

3 LAND USE PROGRAMS

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	4	14
Drafted or Introduced	4	6

Total ¹	7	13
Substantial Issue Finding ²	0	0
No Substantial Issue Finding	7	7
No Issue Finding	6	6
Total	13	13
Finding Letters Issued³	11	11

3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	8	19
Surveys Required	1	3
Surveys Reviewed	2	3
Certificates of Appropriateness Required	0	0

Notable Activity:

- **Fenwick Manor Rehabilitation:** On February 5th, the Commission issued a Request for Proposals (RFP) to solicit bids from Historic Preservation Architects to oversee the rehabilitation work at Fenwick Manor. Two open-house site visits were held for interested consultants this month. The final due date for proposals is March 5, 2025. All received proposals will be evaluated by a committee of Commission staff. A staff recommendation to select an architect will be forthcoming.

3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	0	86.5

¹The total accounts for unique master plans and ordinances received (i.e., it does not double count drafted, introduced, or adopted submissions for the same ordinance).

² Ordinances and Master Plans that are found to raise substantial issues with respect to the standards of the CMP require formal review and approval by the full Commission.

³ A single finding letter can pertain to multiple master plans/ordinances from the same municipality.

PDCs Severed	0	0
Acres Protected	0	0
PDCs Extinguished	0	0.11
Acres Protected	0	20.64
PDCs Sold	0.75	0.75
Average Sales Price per PDC	\$92,000	\$92,000
Average Sales Price per right	\$23,000	\$23,000
PDCs Redeemed	0.25	0.25

Notable Activity:

- **Redemptions:** In February, 0.25 PDCs were redeemed for a 657-unit project in Egg Harbor Township's Regional Growth Area.

3.4 SPECIAL PROJECTS

- **Water Management:** Staff from the Land Use Programs and Regulatory Programs offices met with NJDEP Bureau of Water Allocation staff to discuss application review processes and identify better coordination methods for water allocation projects where local permits or approvals are not required.

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	5	9
Certificates of Filing	12	26
Public Development Reports	4	7
Forestry Certificates of Filing	0	2
PDC Letters of Interpretation	0	3
Non-PDC Letters of Interpretation	0	1
MOA Consistency Determinations	4	4

Review of Agency Determinations	55	109
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4.2 NOTABLE APPLICATIONS

- Landfill Capping and Solar Energy Facility, Pemberton Township (App. No. 2021-0112.001 and App. No. 2021-0112.001):** Pinelands Preservation Area District. A closed, but not capped, municipal landfill is located on this 27.21 acre parcel. On October 14, 2023, the Commission approved limited soil and vegetation disturbance on the parcel to facilitate delineation of the limits of the existing landfill. Two threatened and endangered (T&E) animal species were identified on the parcel within the limits of the approximately 17-acre landfill. An application was filed with the Commission on April 24, 2024 to place a soil cap on the landfill and develop a solar energy facility. By letter dated May 24, 2024, the Commission staff advised that the proposed capping of the landfill was inconsistent with the T&E species protection standards. By letter dated October 16, 2024, the applicant requested a Commission Waiver of Strict Compliance based upon a compelling public to allow for the proposed capping of the landfill. Such a waiver requires the completion of a separate application and then a vote of the Commissioners. The Commission staff consulted with NJDEP staff to determine whether any of the level of contaminants identified in landfill testing that has been completed to date and subsequently reported to NJDEP constitutes a public health or safety issue that may qualify the project for a compelling public need waiver. Based upon its consultation with NJDEP staff, the Commission staff issued a letter on February 19, 2025 advising the applicant of the specific additional groundwater and soil information required to determine whether the existing uncapped landfill poses a threat to public health and safety.
- Forestry, Lacey and Ocean Townships (Applicant: Ocean County, App. No. 1983-4180.005):** Preservation Area District and Forest Area. This application proposes 2,290 acres of forestry on a 12,614-acre parcel known as the Ocean County Forked River Mountain Wilderness Area. On February 21, 2025, the Commission staff issued a letter identifying the information necessary to complete the application. On February 25, 2025, the Commission staff received a request from the applicant to meet and discuss the staff's February 21, 2025 letter.
- Public Service Infrastructure, Southampton (Applicant: BEMS Southampton Solar Farm, App. No. 1981-1601.009):** Pinelands Rural Development Area. On October 19, 2022, the Commission staff issued a Certificate of Filing for the installation of 4,147 linear feet of underground electric conduit within the Leisuretowne residential community. The proposed electric conduit will connect a solar energy facility developed on the nearby former Big Hill Landfill in Southampton Township to a public utility company's electric line located along an adjacent public road (Big Hill Road). The proposed development included an above ground equipment "switch box" located with a grass portion of a cul-de-sac type island in Leisuretowne. The installation and appearance of the switch box generated significant public comment. The Commission staff worked closely with the Township and the applicant to determine whether there were other feasible locations for the switch box. Such locations were somewhat limited by the extensive presence of wetlands in the area. On June 23, 2023, information was submitted to the Commission by the applicant identifying several possible alternative locations for the switch box. By letter dated July 11, 2023, the Commission staff responded and identified several feasible alternative sites. On July 17, 2023, the Commission staff attended a meeting at the Township municipal building with

Township officials, the applicant and a representative of PSE&G to discuss the feasibility of relocating the switch box. The Commission staff completed a site inspection to assess soils, wetlands and the limits of existing development. By letter dated October 20, 2023, the Commission staff provided a specific location where the switch box could be located and maintain consistency with CMP wetlands protection standards. On December 10, 2024, the Commission received notice of Township site plan approval to relocate the switch box. The location and site design are not consistent with the guidance provided in the Commission staff's October 20, 2023 letter. A site inspection confirmed that the switch box has already been installed. By letter dated December 23, 2024, the Commission staff scheduled a public hearing to review the substantial issue raised with the wetlands protection standards. A meeting is scheduled for March 11, 2025 with the applicant's representatives to discuss the matter.

- **Residential Development, Barnegat Township (Applicant: Walters Development Company, App. No. 1990-0788.157):** Regional Growth Area. This application proposes 108 single family dwellings within a relatively undeveloped section of Ocean Acres, an existing residential development. The Ocean Acres development is located in both Stafford and Barnegat Townships. The portion of Ocean Acres located in Barnegat Township consists of approximately 2,000 residential lots that were subdivided and sold prior to the 1981 effective date of the CMP. To address both permitted residential density and T&E species protection, the Commission entered into two legally binding Agreements and certified several Township rezonings. A 2004 Agreement entered into by the developer (Mark Madison LLC), Barnegat Township and the Pinelands Commission provided for development of some of the lots in Ocean Acres and protection of other lots to address T&E species and wetland protection standards. The 2004 Agreement provided protection from undertaking additional T&E species survey work in Ocean Acres until September 2009 and longer if there were no changes to environmental conditions. A pre-application conference for the proposed development was held with the Commission staff on September 19, 2023. On August 12, 2024, the applicant requested a meeting to further discuss the application. One of the topics to be discussed at the meeting was how the Commission's 2022 stormwater management amendments, including the requirement that stormwater management be provided for applications proposing one single family dwelling, will alter the prior stormwater management approach for Ocean Acres. A second topic for discussion at the meeting was whether additional T&E species survey work would be required. By email dated September 17, 2024, the Commission staff advised that the proposed development must meet the current stormwater management standards of the Township land use ordinance and the CMP. By email dated September 23, 2024, the Commission staff further advised that a two season drift fence survey for a threatened animal species was required. A meeting was held on September 24, 2024 with the applicant to discuss stormwater management and T&E species. By email dated January 31, 2025, the applicant's attorney sought confirmation of discussions that occurred at the September 24, 2024 meeting regarding stormwater management and T&E species. On February 12, 2025, the applicant submitted a T&E animal species protocol for a proposed survey to be undertaken in the spring of 2025. Both submissions are currently under review.
- **Cannabis Cultivation and Manufacturing Building, Hamilton Township (Applicant: Fresh Cut Cannabis, App. No. 1987-0444.006):** Regional Growth Area. This application proposes the development of a 47,630-square-foot building for cannabis and manufacturing on a 10.44-acre parcel. The parcel is located in the Hamilton Township Industrial Park. On October 18, 2023, the Commission staff issued a Certificate of Filing for the proposed development. On December 18,

2024, the Commission received notice that the Township Planning Board had approved the proposed development. By letter dated January 30, 2025, the Commission staff scheduled a public hearing to review the substantial issues raised by the approval with stormwater management and T&E species standards. The T&E species issue was raised based upon two sightings in 2024 of a threatened animal species in the immediate vicinity of the parcel. The staff's January 30, 2025 letter provided guidance regarding possible site design changes to address the T&E species standard. On February 6, 2025, the applicant submitted a revised conceptual plan. That plan is under review.

- **Residential Development, Monroe Township (Applicant: Morgan Development Group, App. No. 1993-0282.003):** Regional Growth Area. On August 13, 2007, the Commission staff issued a letter indicating that a Township final subdivision approval for the development of 82 single family dwellings on a 40-acre parcel could take effect. On May 1, 2006, certain amendments to the CMP stormwater management standards took effect. Based upon the applicant revising the proposed development to address the May 1, 2006 stormwater management amendments, on August 2, 2012, the Commission staff issued a letter indicating that a Township extension of final subdivision approval and amendment of the prior Township final subdivision approval for 82 single family dwellings approved on September 6, 2007 and May 13, 2012 respectively could take effect. Further amendments to the CMP stormwater management standards took effect on January 18, 2022. On October 10, 2024, a Township preliminary subdivision approval granted on December 4, 2019 for the proposed development of 82 single family dwellings on the parcel was submitted to the Commission. Because the Commission had not issued a letter indicating that the 2019 Township preliminary subdivision approval could take effect, it is subject to the January 18, 2022 CMP stormwater amendments. By letter dated November 15, 2024, the Commission staff advised that a hearing was required to review the substantial issue raised by the proposed development with the current CMP stormwater management standards. On December 16, 2024, the applicant submitted a revised stormwater management plan. On December 23, 2024, the Commission staff met with the applicant and representatives of the applicant to discuss the stormwater management issue. At that meeting, the Commission staff offered suggestions that the applicant could consider to address the current CMP stormwater management standards. Based upon the provided suggestions, the applicant submitted a second revised stormwater management plan on January 17, 2025. Upon completion of its review of both the December 16, 2024 and January 17, 2025 revised stormwater management plans, the Commission staff issued a letter on January 30, 2025 indicating that the proposed development remained inconsistent with the January 18, 2022 CMP stormwater amendments. The January 30, 2025 Commission staff letter provided several suggestions that the applicant could consider to bring the proposed development into substantial conformance with the January 18, 2022 CMP stormwater amendments. By email dated February 3, 2025, the applicant requested another meeting. On February 25, 2025, the applicant submitted a further revised stormwater management plan. On February 26, 2025, the Commission staff met with the applicant to further discuss stormwater management issues. On February 26, 2025, the applicant submitted additional stormwater management information. That information is currently under review.
- **Stormwater Management Basins, Barnegat Township (Applicant: Paramount, App. No. 2001-0245.003):** Regional Growth Area. This application, approved by the Commission in 2000, proposed the development of 563 single family dwelling units on a 368-acre parcel. Approximately 330 of the 563 single family dwellings have been constructed. Two of the

stormwater basins on the parcel are not functioning as designed, which constitutes a violation of the Township's and the Commission's stormwater management standards. By email dated January 31, 2025, the Township Engineer advised that on January 28, 2025, the Township Planning Board had approved certain changes to address the remediation of the two stormwater management basins. The Township Engineer also inquired about the feasibility of the Commission's allowing additional municipal building permits to take effect, thereby allowing for the development of additional single family dwellings prior to Township approval of a stormwater basin remediation plan. The Commission staff inquired by email dated February 11, 2025 whether the Planning Board's resolution of approval would specify a schedule for construction of the proposed stormwater remediation basins. By email dated February 12, 2025, the Township Engineer indicated that a schedule would probably not be included in the resolution. On February 19, 2025, the Commission received approximately 15 Township building permits for proposed single family dwellings on the parcel. Those building permits are currently under review by the Commission staff. As of the end of February, the Planning Board resolution approving the stormwater remediation plan had not been received.

OTHER NOTABLE ITEMS:

- The Commission staff sent a February 11, 2025 letter to a member of the public who provided comments at the Commission's January 10, 2025 monthly meeting. In part, those comments expressed disagreement with the public's inability to directly contact the Commission's Environmental Specialists to discuss land development questions and applications. The staff's letter indicated that this change in practice was necessary to administer the increasing volume of land development questions, both general and application specific, being posed to the Commission staff via email and telephone calls. The change in practice was instituted to improve the staff's efficiency in both responding to general land development questions and to facilitate the review of land development applications by the Environmental Specialists.

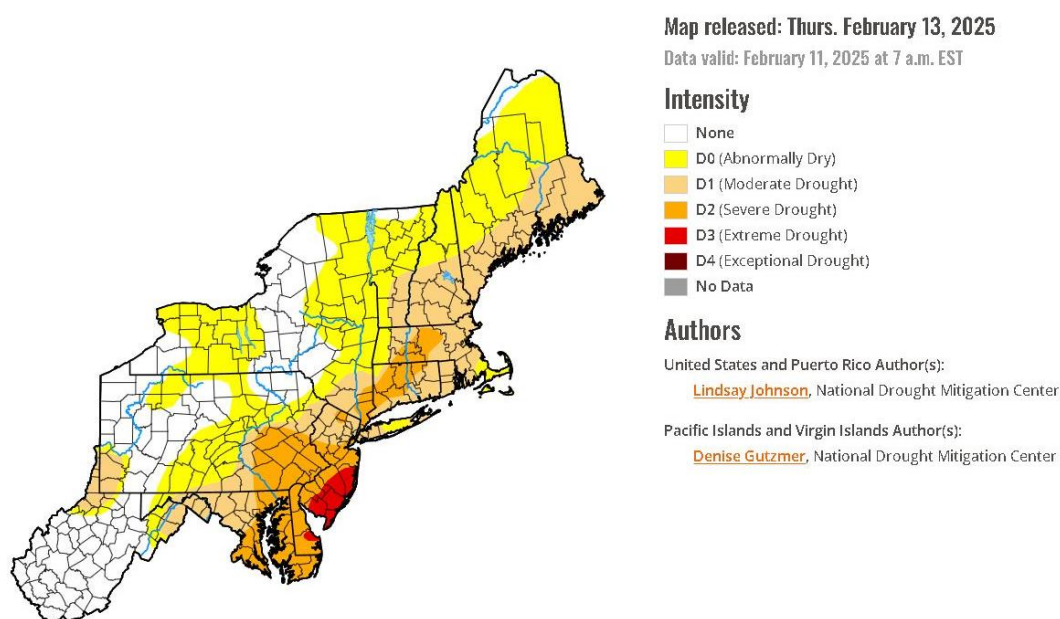
4.3 OFF-ROAD VEHICLE EVENT APPROVALS

- **Application # 1988-0071.045**
South Jersey Enduro Riders, Inc.
Approval Issued: 2/13/2025
Event Name: Ice Breaker Dual Sport
Event Date: February 23, 2025
Municipalities: Manchester Township, Pemberton Township, Woodland Township
Lands Utilized: Brendan T. Byrne State Forest
Route Length: 57 miles

5 SCIENCE

5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In February, staff measured water levels at 43 forest plots and 30 ponds in the Commission network of long-term monitoring sites. This work is completed each month with assistance from the Communications Office. Most of the ponds remained dry this month due to ongoing drought conditions. A solar-powered weather station was installed at a third continuous monitoring pond to collect water level, water and air temperature, precipitation, and humidity data. The weather stations will enable staff to view and download data remotely. Science staff also downloaded water level data from two of the seven ponds where continuous water level recorders were installed.



ABOVE: Drought conditions continue to linger in the northeastern United States, with extreme drought evident in the Pinelands region.

- **Rare Snake Monitoring:** In February, Science Office staff began constructing corrals around new snake hibernacula discovered in 2024. Science staff also completed repairing snake corrals that were damaged during the 2024 Tea Time Hill wildfire.

5.2 LONG TERM STUDIES

- **Box Turtle Study:** In February, Science staff deployed iButtons at all turtle hibernacula to collect air and soil temperature data. The temperature data and other factors can be used to predict when the turtles will emerge from hibernation in the spring.



ABOVE: Temperature data loggers (ibuttons) were installed at box turtle brumation sites. The flag on the left marks the location of the turtle that is burrowed below the surface. The pin flag on the right supports two ibuttons; one located just below the flag for recording air temperature and one located beneath the surface for recording soil temperature.

- **Drift Fence Study:** Science staff continued to analyze snake capture data that were collected as part of a four-year drift fence study.
- **King Snake Study:** Science staff continued with data analysis. The request for a one-year, no-cost extension of the project period is under review by the U.S. Environmental Protection Agency.
- **Snake Fungal Disease Monitoring:** Science staff continue to collaborate with Virginia Tech researchers to sample snakes for snake fungal disease.
- **Adenovirus Study:** Science staff continue to collaborate with Rutgers University researchers to swab Pinelands snakes for adenovirus.

COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:** The Communications Office received and responded to approximately 72 inquiries from the public in February, including phone calls, e-mails, and media inquiries.

- **Website:** Commission staff made routine edits to the website in February.
- **Social Media:** In February, staff shared 216 photos and nine videos on the Commission's Instagram site and 53 tweets and retweets on X.
- **Annual Report:** In February, Commission staff wrote, edited, designed and finalized the draft of the 2024



Above: Staff shared 216 photos on its Instagram site in February, including this photo of an icy beaver dam in the Pinelands.

Annual Report. The full Commission will consider a resolution to approve the final report during its regular meeting on March 14, 2025.

6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Short Course:** Staff promoted the 36th annual Short Course throughout February. The event will be held at Stockton University's main campus in Galloway Township, NJ, on March 8, 2025, and it will feature 37 educational programs, including 24 new presentations. As of the end of February, more than 400 people had registered to attend the event.
- **Education Programs:** A member of the Communications Office educated approximately 125 people while delivering numerous programs in February.

7 INFORMATION SYSTEMS

- **Pinelands Commission Information System Upgrades:** The Pinelands Commission Information System (PCIS) is the internal system of record for all applications to the Pinelands and associated transactions. Staff met with members of the Regulatory Programs office to review upcoming high priority tasks. Staff immediately started work to streamline how Threatened and Endangered species data is input for applications to improve clarity. Staff also began implementing a new feature to highlight documents with a status of "pending" to make it easier to identify important deadlines which require an action. The Escrow report was also enhanced and integrated with new 2025 salary information. Staff worked with Regulatory Programs to develop better workload tracking reports. Draft information was made available and improvements should be completed next month.

- **Geographic Information Systems:** Geographic Information Systems (GIS) allow the Pinelands Commission to manage, analyze, and map relevant data. Staff participated in the New Jersey Geospatial Forum monthly meeting. Staff made necessary changes to support ESRI software migration to ArcGIS Pro and the retirement of all previous versions.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. Information Systems staff participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Staff provided Zscaler access to three new Pinelands Commission employees as part of the phased roll out.
- **Conformance Tracking/Zoning system:** Staff participated in weekly meetings with the Land Use Programs Office and continued development of the new system.
- **Legacy Document Scanning:** The New Jersey Pinelands Commission was established in 1979, long before the revolutions in information systems that have taken place since then. All Commission applications and relevant documents from earlier years were stored in paper format. Staff completed work on all resource extraction type documents.
- **Pinelands Development Credit Bank:** The Pinelands Development Credit (PDC) Bank is the processing agency for the Pinelands Development Credit Program, one of the oldest and most successful transfer of development rights (TDR) programs in the world. Staff participated in the PDC Bank annual report preliminary meeting to share lessons learned from last year and to identify important tasks and deadlines for this year.
- **Mailing List System:** The Pinelands Mailing List system is an internal contact database that contains all important information for state, county, municipal representatives, as well as those from other organizations. This data is shared with the Pinelands Commission as a centralized repository. The improved mailing list system was released in February. Staff in the Land Use Programs and Regulatory Programs offices began contacting municipalities and counties to obtain and input updated information. Staff also began to work on new enhancements that were suggested during previous working group sessions.
- **Performance Evaluation System:** The technology utilized by the Commission for annual employee evaluations was overhauled in the last six months and a new system was released in January. Interim evaluations are now in progress. Staff worked with employees and supervisors on the use of this tool for the first time.
- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. In February, staff provided multiple detailed training sessions, as well as documentation, to support the full release of Microsoft Teams Voice to all staff. Ongoing support for this software continues. Staff conducted internal testing on CommVault backup and restore software to validate documented recovery procedures. Staff also began developing and testing Microsoft Azure cloud based software systems to support future public facing development efforts which will improve the Mailing List system, Pinelands Commission Information System, and others. Staff worked with the New

Jersey Office of Information Technology (NJOIT) to prepare and conduct several network tests to support the upgrade of network hardware.

8 BUSINESS OFFICE

8.1 Financial Management

- **Application Fees:** February 2025, Net Total: \$14,252.54; Fiscal Year to Date Total: \$533,772.58. This equates to 71.17% of the Fiscal Year 2025 anticipated fee revenue of \$750,000. The net total for February includes 21 online application payments totaling \$10,768.40.

Attachment 1:

Pinelands Related Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A575/S2751	Stanley, Karabinchak, Conaway/ Greenstein	Directs DEP to develop guidelines concerning State and local government purchase of goods from recycled materials	Assembly Bill: Passed by the Assembly on 9/26/24. Received in Senate, Referred to Senate Environment and Energy Committee on 9/30/24 Senate Bill: Introduced, referred to Senate Environmental and Energy Committee on 2/15/24
A682/S699	Kean/Singer	Establishes a program, in NJDEP, for acquisition of development easements on privately-owned woodlands.	Assembly Bill - Reintroduced and Referred to Assembly Environment Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill –Reported from the Senate Environment and Energy Committee as substitute and referred to the Senate Budget and

			Appropriations Committee
A1253/S2859	Sauickie/ Greenstein	Prohibits planting of non-native species in landscaping at State parks and forests; establishes grant program to support use of native plants at local parks and forests; appropriates \$250,000.	Reintroduced, Referred to Assembly Environment, natural Resources and Solid Waste Committee on 1/9/24. Senate Bill – Introduced, referred to Senate Environment and Energy Committee on 3/4/24
A1219/S2979	Sauickie/Tiver	Requires NJ Clean Energy Program incentives to be made available to commercial farms	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill – Introduced, Referred to the Senate Environment and Energy Committee
A1300	Sauickie	Provides CBT (Corporate Business Tax) credit for construction or retrofitting of warehouses to meet certain green building standards.	Reintroduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 1/9/24.
A1301	Sauickie	Requires State Planning Commission to adopt model buffer ordinances detailing different regulatory options for siting warehouses; allows conforming updates to municipal master plans and zoning ordinances.	Reintroduced, Referred to Assembly Community Development and Women’s Affairs Committee on 1/9/24.

A1302	Sauickie	Requires certain warehouses to obtain air pollution control permits from NJDEP.	Reintroduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.
A1303/S1074	Sauickie/ Greenstein	Requires NJDEP to evaluate cumulative impact of stormwater when reviewing applications associated with warehouses and other high-density development projects.	Reintroduced, and Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill introduced and referred to Environment and Energy Committee on 1/9/24.
A2792/S1160/ S2347	Greenwald, Wimberly/ Timberlake/Single ton	Concerns development and use of accessory dwelling units	Assembly Bill – Introduced, Referred to Assembly Housing Committee on 1/9/24. Committee Substitute introduced on 2/10/25, but not reported out of committee. Senate Bill – Reported from the Senate Community and Urban Affairs Committee, as a Substitute on 2/15/24. Replaced by Senate Floor Substitute on 2/25/25.
A3070/S2690	Guardian/Cruz- Perez, Corrado	Requires State entities to recycle certain materials and provide recycling bins	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid

			Waste Committee on 1/9/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/12/24.
A3645/S2425	Calabrese/McKeon, Smith	Establishes a low carbon transportation fuel standard program in NJDEP	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 2/12/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 1/29/24.
A3784/S2455	McCoy/Bucco	Makes \$100 million in federal funds available to NJDEP for grants to local governments for drinking water, wastewater and stormwater infra-structure projects	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 2/22/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/5/24.
A3820/S609	Fantasia/Tiver	Excludes farmland from definition of “redevelopment area” and “rehabilitation area” in local Redevelopment and Housing Law	Assembly Bill – Introduced, Referred to the Assembly Commerce, Economic Development and Agriculture

			Committee on 2/22/24. Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 1/9/24.
A3831	Sauickie	Expands definition of “qualifying land” for purposes of determining where a rural microenterprise may be permitted on a preserved farm	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.
A3833	Sauickie	Requires the Office of Planning Advocacy to publish certain information concerning warehouses over 100,000 sq. ft. on its website	Introduced, Referred to Assembly Commerce, Economic Growth and Agriculture Committee on 2/22/24.
A3914/S3268	Katz/Steinhardt	Permits agriculture-related events on preserved farmland	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/27/24. Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 5/16/24
A3951/S2594	Fantasia/Bucco, Smith	Appropriates \$28,670,924 in 2003 and 1992 bond monies for loans for dam restoration and repair projects and inland waters projects	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 3/4/24

			Senate Bill – Reported from Senate Environment and Energy Committee with Amendments, Second Reading on 3/4/24, Senate Amendment (Voice), Passed by Senate and Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 5/20/24
A4117/S2857	Calabrese, Conway/ Greenstein, Smith	Provides corporation business tax credit to taxpayers that develop qualified native pollinator habitat on undeveloped property	Assembly Bill – Proposed for Introduction on 4/4/24. Senate Bill – Introduced on 3/4/24, Referred to Senate Environment and Energy Committee
A4137/S1029	Calabrese, Conway, Atkins/ Greenstein	Prohibits sale, distribution, import, export or propagation of certain invasive species without permit from Department of Agriculture; Establishes NJ Invasive Species Council	Assembly Bill – Introduced, Referred to Commerce, Economic Development and Agriculture Committee on 4/4/24. Senate Bill – Reported from Senate Environment and Energy Committee as a Substitute on 1/14/25, Second Reading. Senate Amendment on 2/25/25.

A4145/S3065	Lopez/McKeon, Smith	Excludes environmentally sensitive and flood-prone lands from designation as vacant or available lands for affordable housing construction	Assembly Bill – Introduced, Referred to Assembly Housing Committee on 4/4/24 Senate Bill – Reported from Senate Environment and Energy Committee with Amendments, Second Reading on 5/13/24
A4200/S3078	Azzariti Jr., Kanitra/Schepisi	Prohibits collecting of certain costs associated with offshore wind projects from ratepayers	Assembly Bill – Introduced, Referred to Assembly Telecommunications and Utilities Committee on 5/2/24 Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 4/11/24
A4223/S3114	Sampson/Cruz-Perez	Establishes certification program for zoning officers and land use board administrators	Assembly Bill – Introduced, Referred to Assembly State and Local Government Committee on 5/2/24 Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee on 4/15/24
A4260	Inganamort, Kanitra, Peterson	Prohibits NJDEP from requiring certain municipalities to adopt	Assembly Bill – Introduced, Referred to Assembly Environment, Natural

		ordinance that controls tree removal and replacement	Resources and Solid Waste Committee on 5/2/24
A4370/S2347	Lopez/Singleton, Timberlake	Concerns development of accessory dwelling units and related municipal land use regulations	Assembly Bill – Combined with A2792/2489 on 2/10/25 Senate Bill – Reported from Senate Community and Urban Affairs Committee, Second Reading on 2/15/24. Senate Substitute on 2/25/25.
A4383/S3364	Moen/Polistina	Directs NJDEP to develop motor vehicle driving maps for State Forests	Assembly Bill – Introduced, Referred to Assembly Tourism, Gaming and Arts Committee on 5/16/24 Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 6/3/24
A4569/S2788	Freiman, Katz, Simmons/ Cruz-Perez, Turner	Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agricultural Development Committee for farmland preservation purposes	Assembly Bill: Substituted by S2788 on 10/28/24 Received in Assembly on Concurrence with Governor's Recommendations on 12/19/24 Senate Bill: Received on Senate, Second Reading on Concurrence on 10/28/24

			Passed both houses on 10/28/24 Conditional Veto received in Senate on 12/12/24, 12/19/24 Concur. with Governor's Recommend. passed by Senate on 12/19/24
A4789	Sauickie	Requires public utilities to develop vegetation management plans	Introduced, Referred to Assembly Telecommunications and Utilities Committee on 9/19/24
A4791/S3728	Sauickie/Henry	Requires municipal planning boards and zoning boards of adjustment to incorporate recommendations from certain local environmental commissions on applications for development	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee Senate Bill: Introduced, Referred to Senate Environment and Energy Committee on 10/7/24
A4847/S3715	Fantasia/Space	Requires establishment and implementation of wildlife management plans for open space and farmland, and authorizes use of constitutionally dedicated CBT revenues to finance activities undertaken pursuant to such plans	Assembly Bill: Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee Senate Bill: Introduced, Referred to the Senate Environment and

			Energy Committee on 10/7/24
A4850	Danielsen	Prohibits procurement of single use plastic beverage containers by State and local government entities	Introduced, Referred to the Assembly Environment, Natural Resources and Solid Waste Committee
A4862/S1593	Freiman/Zwicker	The “New Jersey Town Center Microgrid Pilot Program Act”	Assembly Bill: Introduced, Referred to Assembly Telecommunications and Utilities Committee on 9/23/24 Senate Bill: Introduced, Referred to Senate Community and Urban Affairs Committee on 1/9/24
A5222/S3737	Collazos-Gill/Zwicker	Revises requirements for certain greenhouse gas emissions monitoring and reporting activities.	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on January 27, 2025 Senate Bill - Reported from Senate Environment and Energy Committee with Amendments, 2nd Reading. to Senate Budget and Appropriations Committee on January 14, 2025
A5047/S3840	Burzichelli/DeAngelo, Egan, Bailey, Simmons	Requires certain large developments, to be used as retail facility or warehouse, to be designed and constructed to	Assembly Bill: Introduced, Referred to the Assembly Commerce, Economic

		accommodate load associated with solar panels	Development and Agriculture Committee on 11/14/24 Senate Bill: Introduced, Referred to Senate Community and Urban Affairs Committee on 10/24/24
A5267	DeAngelo, Bailey, Egan	Requires BPU to procure and incentivize transmission-scale energy storage	Assembly Bill - Introduced, Referred to Assembly Telecommunications and Utilities Committee on February 10, 2025
S2816/A5302	Smith,McKeon/DeAngelo, Kane	Requires electric public utilities to submit to BPU and implement electric infrastructure improvement plans	Assembly Bill - Introduced, Referred to Assembly Telecommunications and Utilities Committee on February 10, 2025 Senate Bill – Reported from Senate Committee on 3/4/24, Second Reading. Passed by the Senate on 5/20/24. Received in Assembly, and Referred to the Assembly Telecommunications and Utilities Committee on 5/20/24
S3308/A4513	Scutari/Speight	Requires electric public utilities to implement certain improvements to the interconnection process for certain grid supply solar facilities	Assembly Bill – Introduced, Referred to Assembly Telecommunications and Utilities Committee on

			10/28/24. Reported out of Committee with Amendments on 12/19/24. Substituted by S3308 Senate Bill – Introduced, Referred to Senate Environment and Energy Committee. Reported from Committee on 6/20/24. Passed by Senate on 10/28/24. Received in Senate, Second Reading on Concurrence on 12/19/24. Passed Senate and Both Houses on 12/19/24. Signed by Governor on 1/20/2025 - P.L. 2025, c.7
S3464	Smith	Requires electric public utilities to upgrade certain portions of electric transmission and distribution system with advanced conductors	Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 6/20/24
S3480	Zwicker	Permits municipalities to adopt more stringent site improvement standards for stormwater management related to residential developments	Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee on 6/20/24
A4926/S3618	Calabrese, Clinton/ Smith,Greenstein	Directs DEP and DOT to establish “Wildlife Corridor Action Plan”; appropriates \$90,000	Assembly Bill – Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee 10/21/24

			Senate Bill - Introduced, Referred to Senate Environment and Energy Committee on 9/19/24; Passed by Senate on 10/28/24.
S3656	Testa, Polistina	Requires regional representation for members of BPU	Introduced, Referred to the Senate Economic Growth Committee on 9/26/24